

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ABBIEVIE, INC. et al.,

Plaintiffs,

vs.

MIKE HILGERS, in his official capacity as
Attorney General of Nebraska,

Defendant.

PHARMACEUTICAL RESEARCH AND
MANUFACTURERS OF AMERICA,

Plaintiff,

vs.

MIKE HILGERS, in his official capacity as
Attorney General of Nebraska;

Defendant.

4:25CV3089

ORDER FOR CONSOLIDATION

4:25CV3163

ORDER FOR CONSOLIDATION

This matter is before the court on Defendant's Motion to Consolidate, or in the Alternative, to Hold in Abeyance and Extend Deadline for Responsive Pleading, (4:25cv3163; [Filing No. 17](#)), and Plaintiffs' Unopposed Motion for Leave to File an Amended Complaint. (4:25cv3089; [Filing No. 43](#)). The plaintiffs in each case do not oppose the motion to consolidate, but request permission to separately file motions and briefs and request that each party be permitted to conduct their own discovery. (See 25cv3163 [Filing No. 18](#); Attachment 1) Having reviewed the matter, and with the parties' consent, the court finds consolidation pursuant to Fed.R.Civ.P. 42(a) is warranted and

Defendant's motion to consolidate will be granted as follows. The court also finds that Plaintiff's Unopposed Motion for Leave to File an Amended Complaint in 25cv3089 ([Filing No. 43](#)) should be granted.

Accordingly,

IT IS ORDERED:

1. Defendant's Motion to Consolidate in 4:25cv3163 ([Filing No. 17](#)) is granted and the above-captioned are consolidated for all purposes.
2. Case No. 4:25cv3089 will be designated as the "Lead Case" and Case No. 4:25cv3163 will be designated as a the "Member Case."
3. The court's CM/ECF system has the capacity for "spreading" text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in the Member Case. The parties are instructed to file all further documents (except as described below in subsections a. and b. of this paragraph) in the Lead Case and to select the option "yes" in response to the System's question whether to spread the text.
 - a. The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; to file items related to service of process; or to file notices of appeal. Attempting to do so will cause a system error, and therefore these documents must be separately filed in each of the lead and member cases. When filing such documents, counsel may either file the document separately in each case, or file the document in the Lead Case and ask the court to then file it in all member cases.
 - b. If a party believes a document in addition to those described herein should not be filed in the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion must be filed in all the consolidated cases using the spread text feature.

4. Defendant's Motion to Dismiss in 4:25cv3089 ([Filing No. 26](#)) and Brief in Support ([Filing No. 27](#)) shall be treated as a response to the Complaint in 4:25cv3163. Briefing as to 4:25cv3163 shall be filed in the Lead Case as follows:
 - a. Pharmaceutical Research and Manufacturers of America shall file a Response Brief as to Defendant's Motion to Dismiss on or before September 12, 2025.
 - b. Defendant shall have 7 days thereafter to file a Reply Brief.
 - c. Upon the Reply Brief of Defendant, or if no Reply Brief is filed on or before September 19, 2025, the Motion to Dismiss the above-captioned cases will be deemed fully submitted.
5. Plaintiffs' Unopposed Motion for Leave to File an Amended Complaint in 25cv3089 ([Filing No. 43](#)) is granted. Plaintiffs shall have until Tuesday, August 26, 2025 to file the Amended Complaint on the docket. The pending Motion to Dismiss in 25cv3089 ([Filing No. 26](#)) will be treated as responsive to Plaintiffs' Amended Complaint in that matter. Without opposition, any additional briefing as to the Motion to Dismiss pending in 25cv3089 shall proceed as follows:
 - a. Defendant shall have 7 days to file a supplemental brief in support of the Motion to Dismiss, addressing any additional arguments raised in the Amended Complaint.
 - b. Plaintiffs in 25cv3089 shall have 7 days thereafter to file a supplemental response to Defendant's additional arguments.
 - c. No reply brief will be allowed.
6. The Clerk's Office is directed to terminate the answer deadline in 4:25cv3163 and notate that the Motion to Dismiss in 4:25cv3089 is now operative in 4:25cv3163.

Dated this 22nd day of August, 2025.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge